

No. 9/5/84-6Lab/9220.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Faridabad, in respect of the dispute between the workman and the management of M/s. Saz International Pvt., Ltd. Plot No. 46 to 49 D.L.F. Industrial Area, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,

FARIDABAD

Reference No. 314/1981

between

SHRI A-GAFFAR, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S SAZ INTERNATIONAL PVT. LTD., PLOT NO. 46 to 49, D.L.F. INDUSTRIAL AREA, FARIDABAD
Present.—

Workman along with Shri S. S. Gupta, representative of the workman.

Shri J.S. Saroha, for the respondent management.

AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. I D/F D/49/83/52113-18, dated 27th September, 1983, for adjudication of the industrial dispute existing between Shri A-Gaffar workman and the respondent management of M/S. Saz International Pvt., Ltd., Plot No. 46-49, D.L.F. Industrial Area, Faridabad, under section 10(i) (c) of the Industrial Dispute Act, 1947. The term of the reference was :—

Whether the termination of service/ of Shri A-Gaffar was justified and in order ? If not, to what relief is he entitled ?

The representative of the workman has made a statement that the workman has settled his dispute with the respondent management. He has received his full and final payment and has no right of reinstatement/re-employment.

In view of the statement of the representative of the workman, there is no dispute between the parties.

Dated the 4th December, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court,
Faridabad.

Endorsement No. 2935, dated the 14th December, 1984.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court,
Faridabad.

The 3rd January, 1985

No. 9/5/84-6Lab/25.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s R. P. Aggarwal Printers, Bazar Tanduran, Ambala City.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA (HARYANA).

Reference No. 121 of 1984

(Old No. 176 of 1983)

SHRI INDERJIT SINGH WORKMAN AND THE MANAGEMENT OF M/S R. P. AGGARWAL PRINTERS, BAZAR TANDURAN, AMBALA CITY

Present :—

Shri Rajeshwar Nath, for the workman.

Shri Hari Lal Gupta, for the Respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred, — vide clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to the Presiding Officer, Labour Court, Faridabad between Shri Inderjit workman and the management of Messrs R. P. Aggarwal Printers, Bazar Tarduman, Ambala City. The terms of the reference are as under :

"Whether the termination of services of Shri Inderjit workman was justified and in order ? If not, to what relief is he entitled to?"

This reference received by transfer from the Presiding Officer, Labour Court, Faridabad under the orders of the Hon'ble Governor of Haryana. Both the parties appeared. Their representatives wanted to make statements. Their statements have been recorded. They stated that they have compromised the dispute amicably. The workman has satisfied himself towards all the outstanding claims, so the matter is disposed of as compromised regarding the dispute in question. I pass my award accordingly.

Dated the 21st December, 1984.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court,
Ambala.

Endst. No. 1109, dated 27th December, 1984.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court,
Ambala.

No. 9/5/84-Lab./9429.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Super Rubber Enterprises, 17/3, Mile Stone, G. T. Road, Karnal :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA AT AMBALA CITY

Reference No. 51 of 1984

SHRI RAMJIT GIRI, WORKMAN AND THE MANAGEMENT OF M/S SUPER RUBBER ENTERPRISES, 17/3, MILE STONE, G. T. ROAD, KARNAL

Present—

Shri Jang Bahadur, for the workman.

Shri Faqir Chand Sharma and V. K. Arora, for the respondents.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred, — vide clause (d) of sub-section (i) of section 10 of the Industrial Dispute Act, 1947, referred the following dispute between Shri Ramjit Giri, workman and the management of M/s Super Rubber Enterprises, 17/3, Mile Stone, G. T. Road, Karnal. The terms of the reference are as under :—

"Whether the termination of services of Shri Ramjit Giri, workman, was justified and in order ? If not, to what relief is he entitled ?"

Both the parties were duly served through court notices. They were represented through their legal representatives. Shri Jang Bahadur filed the statement of claim on behalf of the workman. Copy of the same was given to the respondent. Thereafter written statement was submitted on 7th September, 1984. By post an application was received which was written and signed by the applicant himself. It reads that

applicant has settled his dispute with the respondent management. He is in service of the respondent. Through this application he has withdrawn all the rights which he conferred upon Shri Jang Bahadur his representative. In counter application was filed by Shri Jang Bahadur on 20th September, 1984 controverting the facts mentioned in application, dated 5th September, 1984. Shri Jang Bahadur was asked to produce the applicant, but he failed to do so. From the written statement of respondent it is evident that the applicant was contractual basis casual labour by offlux of time his services were terminated in other words applicant was an seasonal labourer thereafter he was again taken on job as soon as the season of work switched on. Since Shri Jang Bahadur failed to produce applicant's in this court and application dated 5th September, 1984 of applicant reads that he had settled all his disputes with the management and claims no relief, Shri Jang Bahadur is no longer his spokesman in this court so I think that applicant has no case, since he has settled his dispute with the management at his own level. So I delivered my award regarding the dispute, in question accordingly.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Endst. No. 934, dated 10th December, 1984.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84/6Lab/9431.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s. New Janta Saw Mills, Khalsa College Road, Yamuna Nagar.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,

AMBALA (HARYANA)

Reference No. 3 of 1984

Reference No. 3 of 1984

SHRI RAM SINGH, WORKMAN AND THE MANAGEMENT OF MESSRS NEW JANTA
SAW MILLS, KHALSA COLLEGE ROAD, YAMUNA NAGAR (AMBALA)

Present: Shri Balbir Singh, for the applicant.
None for the respondent-management.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—vide clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Ram Singh Workman and the Management of Messrs New Janta Saw Mills, Khalsa College Road, Yamuna Nagar (Ambala). The terms of the reference are as under:

"Whether the termination of services of Shri Ram Singh workman was justified and in order? If not, to what relief is he entitled to?"

Both the parties served through Registered notices. Applicant Shri Ram Singh appeared to agitate his case against respondent-management, Messrs. New Janta Saw Mills, Khalsa College Road, Yamuna Nagar (Ambala), but, inspite of service none appeared for the respondent-management, so respondent was proceeded *ex parte*. Applicant Ram Singh alleged that he had been serving as a Mistry to the respondent for the last 13/14 years at the monthly rate of Rs. 500/- (Rupees five hundred only). On 10th January, 1984 his services were terminated without any notice or compensation. Thus respondent acted arbitrarily in violation of section 25 (f) of the Industrial Disputes Act, 1947. He filed a demand notice in the office of Labour Officer-cum-Conciliation Officer, Yamuna Nagar, but respondent did not bother to contest the same. Hence the claim is.

Applicant in support of his *ex parte* evidence examined himself as AW-1. He supported the above facts on his solemn affirmation.

I have gone through the *ex parte* evidence as well as have heard Shri Balbir Singh for the applicant and of the considered view that respondent was properly served inspite of service. Respondent did not bother to contest the claim. *ex parte* evidence carries weight to the effect that applicant was in service of the respondent at the monthly wages of Rs. 500/- P. M. His services were arbitrarily terminated on 10th January, 1984 in contravention of section 25 (F) of the Industrial Disputes Act, 1947, without issuing any notice and awarding any retrenchment compensation. So I hold that termination order regarding the termination of services of the applicant dated 10th January, 1984 is against the law and cannot be sustained. Hence declared illegal. Applicant in order to be re-instated with effect from 10th January, 1984. He is also entitled to all his back wages and other benefits of service which would have been available to him if he had been in continuous service with the respondent-management. I pass my award regarding the dispute in question accordingly.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Dated, the 17th December, 1984.

Endorsement No. 1021, dated the 17th December, 1984.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

The 21st February, 1985

No. 9/5/84-6 Lab/924.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Hindustan Potteries Industries Bahadurgarh (Rohtak) :—

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 275 of 1983

between

SHRI SURINDER SINGH, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN POTTERIES INDUSTRIES, BAHADURGARH (ROHTAK)

Present:—

Shri Jagat Singh, A.R. for the workman

Shri M. M. Kaushal, A. R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Surinder Singh and the management of M/s. Hindustan Potteries Industries, Bahadurgarh (Rohtak), to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 63877-82, dated 7th December, 1983 :—

Whether the termination of services of Shri Surinder Singh was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workman alleged that he was appointed as helper with the respondent on monthly wages of Rs. 358 and that his services were terminated unlawfully on 20th July, 1983 in gross violation of the provisions of the Industrial Disputes Act, 1947.

3. Reply was filed by the respondent controverting the claim of the petitioner.

4. On the pleadings of the parties, the following issues were settled for decision on 19th September, 1984:—

1. Whether there is a relationship of workman and employer between the parties? OPA.
2. Whether the workman remained gainfully employed after alleged termination of his services? OPP
3. Whether the termination of services Shri Surinder Singh was justified and in order? If not, to what relief is he entitled ?

4. Before any evidence could be adduced by the parties, a settlement was arrived at, whereunder the workman shall be paid a sum of Rs. 300 by the management in full and final satisfaction of his claim on 21st January, 1985 at Bahadurgarh. In that behalf statement of the Authorised Representative of the workman Shri Jagat Singh has been recorded. On behalf of the respondent Shri M. M. Kaushal has made a statement in that behalf. The management shall pay this amount to the workman on the said date and place, and place the photo copy of the receipt on the Court file. So, now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost

Dated the 10th January, 1985.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,

Endst. No. 275/83/165 dated 25th January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/925.—In pursuance of the provisions of section 17 of Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s A. K. Industries, M. I. E., Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 165 of 83

between

SHRI UMA SHANKAR PANDY, WORKMAN AND THE MANAGEMENT OF M/S A. K. INDUSTRIES, M. I. E., BAHADURGARH (ROHTAK)

Present:—

Shri Dhan Singh, A. R. for the workman.

Shri M. M. Kaushal, A. R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Uma Shankar Pandey and the management of M/s. A. K. Industries, M. I. E., Bahadurgarh (Rohtak), to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/51178—83, dated 21st September, 1983:—

Whether the termination of services of Shri Uma Shankar Pandey, was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workman alleged that he was a permanent employee of the respondent and that he proceeded on leave after getting the same sanctioned but when he approached the management on 10th January, 1983 to resume his duty he was not allowed to do so and as such the respondent unlawfully terminated his services.

Before any reply could be filed by the respondent, the learned Authorised Representative of the workman Shri Dhan Singh made a statement that the claim of the workman has been fully satisfied, who has left the employment after settling his accounts with the respondent. So, now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 11th January, 1985

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak

Endst. No. 165/83/166, dated the 25th January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Presiding Officer,
Labour Court, Rohtak

B. P. JINDAL

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-61 Lab/927—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s A. K. Industries, Modern Industrial Estate, Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 286 of 83

Between
SHRI RAM GUPTA, WORKMAN AND THE MANAGEMENT OF M/S A. K. INDUSTRIES,
MODERN INDUSTRIAL ESTATE, BAHADURGARH (ROHTAK)

Present SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Shri Dhan Singh, A.R. for the workman.

Shri M.M. Kaushal, A. R. for the management.

AWARD
SHRI RAM GUPTA, WORKMAN AND THE MANAGEMENT OF M/S A. K. INDUSTRIES, MODERN INDUSTRIAL ESTATE, BAHADURGARH (ROHTAK)

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Rama Gupta and the management of M/s. A. K. Industries, Modern Industrial Estate, Bahadurgarh, Rohtak, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 64354-59, dated 8th December, 1983 :—

Whether the termination of service of Shri Ram Gupta was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of the reference, notices were issued to the parties. The parties appeared. The workman alleged that he was employed in the press department of the respondent since 1st May, 1980 as a Pressman on monthly wages of Rs 500 and that initially he was put under suspension on 27th January, 1982 and thereafter the respondent terminated his services after giving a complete go-bye to the provisions of section 25.F and G of the Industrial Disputes Act, 1947.

3. Before any reply could be filed by the respondent, the learned Authorised Representative of the workman Shri Dhan Singh made a statement that the claim of the workman has been fully satisfied,

who has left the employment after settling his accounts with the the respondent. So, now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 11th January, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 286/83/168, dated 25th January, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/930.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s. Mahesh Wood Products (P.) Ltd., Khewra Bahalgath (Sonapat).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 180 of 1984

between

SHRI RAM AVTAR, WORKMAN AND THE MANAGEMENT OF M/S. MAHESH WOOD PRODUCTS (P.) LTD., KHEWRA BAHALGATH (SONEPAT)

Presented by Shri S. N. Solanki, A. R. for the workman.

Shri S. Kaushal, A. R. for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Ram Avtar and the management of M/s. Mahesh Wood Products (P.) Ltd., Khewra Bahalgath (Sonapat), to this Court, for adjudication—vide Labour Department Gazette Notification No. 33613-18, dated 4th September, 1984:—

Whether the termination of services of Shri Ram Avtar was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent as helper for the last about 4½ years on monthly wages of Rs 382 but his services were terminated unlawfully by the respondent on 12th May, 1984 without any prior notice or payment of any retrenchment compensation as envisaged under section 25 F of the Industrial Disputes Act, 1947.

3. Before a claim statement could be filed by the workman, learned Authorised Representative of the workman Shri S. N. Solanki, made a statement that the workman has settled his claim with the respondent and as such the workman does not want to prosecute this reference. So, now, no dispute remains to be adjudicated upon. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 16th January, 1985.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

Endst No. 192/84/171, dated 25th January, 1985.

Forwarded (four copies) to the Secretary to Government Haryana, Labour & Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B.P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

No. 9/84-6Lab./931.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Mahesh Wood Products (P.) Ltd., Khewra Bahalgarh (Sonapat).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 186 of 84

between

SHRI RAM KISHAN, WORKMAN AND THE MANAGEMENT OF M/S MAHESH WOOD PRODUCTS (P.) LTD., KHEWRA BAHALGARH (SONEPAT)

Present :—

Shri S. N. Solanki, A. R., for the workman.

Shri S. Kaushal, A. R., for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Ram Kishan and the management of M/s Mahesh Wood Products (P.) Ltd., Khewra Bahalgarh (Sonapat) to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33855—60, dated 4th September, 1984 :—

Whether the termination of service of Shri Ram Kishan is justified and in order? If not, to what relief is he entitled?

2. On receipt order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent as helper for the last about 5½ years on monthly wages of Rs 400 but his services were terminated unlawfully by the respondent on 12th May, 1984 without any prior notice or payment of any retrenchment compensation as envisaged under section 25-F. of the Industrial Disputes Act, 1947.

3. Before a claim statement could be filed by the workman, learned Authorised Representative of the workman Shri S. N. Solanki made a statement that the workman has settled his claim with the respondent and as such the workman does not want to prosecute this reference. So, now, no dispute remains to be adjudicated upon. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 16th January, 1985.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

Endst. No. 186/84/172, dated the 25th January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.